

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

ANDREW CORZO, SIA HENRY, ALEXANDER LEO-GUERRA, MICHAEL MAERLENDER, BRANDON PIYEVSKY, BENJAMIN SHUMATE, BRITTANY TATIANA WEAVER, and CAMERON WILLIAMS, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE OF TECHNOLOGY, UNIVERSITY OF CHICAGO, THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, CORNELL UNIVERSITY, TRUSTEES OF DARTMOUTH COLLEGE, DUKE UNIVERSITY, EMORY UNIVERSITY, GEORGETOWN UNIVERSITY, THE JOHNS HOPKINS UNIVERSITY, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, NORTHWESTERN UNIVERSITY, UNIVERSITY OF NOTRE DAME DU LAC, THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, WILLIAM MARSH RICE UNIVERSITY, VANDERBILT UNIVERSITY, and YALE UNIVERSITY,

Defendants.

Case No.: 1:22-cv-00125-MEK

Judge Matthew F. Kennelly

GEORGETOWN UNIVERSITY’S SUPPLEMENT TO ITS MOTION TO FILE UNDER SEAL ITS MEMORANDUM IN SUPPORT OF THE GEORGETOWN DOE STUDENTS’ OBJECTIONS UNDER FERPA AND ITS RESPONSE TO PLAINTIFFS’ AMENDED AND RENEWED MOTION TO COMPEL THE PRODUCTION OF THE EDUCATION RECORDS OF THE 35 GEORGETOWN AND PENN STUDENTS WHO HAVE NOT FILED OBJECTIONS TO SUCH PRODUCTION UNDER FERPA

Pursuant to the Court’s minute entry of December 19, 2023 (Dkt. 564), Defendant Georgetown University (“Georgetown”) respectfully submits this supplement to its motion to seal two filings submitted on December 18. *See* Dkt. 552. In its minute entry, the Court directed

Georgetown to address the fact that “the current motion does not contain a sufficient explanation of the subject matter of the claimed ‘trade secret.’” Dkt. 564.

The following redactions relate to the assertion in Georgetown’s motion that revealing the redacted information “would reveal Georgetown’s trade secrets or [] is otherwise commercially and competitively sensitive because that information relates to Georgetown’s admissions process and has not been made available to the public.” Motion to Seal ¶¶ 3, 4, 6:

- Dkt. 557 (redacted) and Dkt. 553 (sealed) (partial sentence redacted at page 2 of Georgetown’s Response Regarding Non-Objectors).
- Dkt. 557 (redacted) and Dkt. 553 (sealed) (partial sentence redacted at page 3 of Georgetown’s Response Regarding Non-Objectors).
- Dkt. 558 (redacted) and Dkt. 556 (sealed) (both redactions on page 4 of Georgetown’s Memorandum Regarding Objectors).

Georgetown redacted that information out an abundance of caution given that it described information protected by the Agreed Confidentiality Order. However, upon reconsideration after receiving the Court’s minute entry the morning of December 19, 2023, and mindful of the Court’s prior admonition that “a party’s mere designation of material as confidential or highly confidential during discovery is insufficient by itself to place outside the public record material,” Dkt. 542, Georgetown agrees that the information redacted at the above locations can be unredacted and filed on the public record.

The only remaining redactions were on pages 2-3 of Georgetown’s Memorandum Regarding Objectors. Dkt. 558 (redacted); Dkt. 556 (sealed). Georgetown did not redact that information because it would reveal “trade secrets or that is otherwise commercially and competitively sensitive.” Rather, Georgetown redacted that information because it either describes or quotes the Students’ letters to this Court, which the Court previously ordered to be filed under seal to respect the Students’ privacy and interests under FERPA. *See* Motion to Seal ¶ 10.

Georgetown submits that information should remain under seal. However, Georgetown agrees that its redactions of the first paragraph of page 2 were over-inclusive.

Accordingly, Georgetown is submitting concurrently with this supplemental brief a revised, redacted version of its Memorandum Regarding Objectors (filed under seal at Dkt. 556), and seeks leave of the Court to file that revised version on the public record. Georgetown will concurrently file its Response Regarding Non-Objectors on the public record with no redactions.

Dated: December 19, 2023

Respectfully submitted,

By: /s/ Britt M. Miller

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